

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES D. RIEL,

Petitioner,

No. CIV S-01-0507 LKK KJM

vs.

DEATH PENALTY CASE

ROBERT L. AYERS, Jr.,
Warden of San Quentin
State Prison,

Respondent.

ORDER

On March 8, 2010, respondent informed the court that he is unable to file and serve a summary of petitioner's testimony, as required by the court's January 22, 2010 order, because he cannot depose petitioner until the issues set out in the February 18, 2010 order are resolved. As stated in the January 22 order, respondent's inability to depose petitioner may require continuation of other dates as well. Accordingly, IT IS HEREBY ORDERED as follows:

1. Prior to March 18, 2010, the parties shall meet and confer regarding any scheduling changes necessitated by respondent's inability to depose petitioner.

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1 2. By March 18, 2010, the parties shall file a joint statement proposing any
2 stipulated changes to the scheduling order and describing any disputes regarding scheduling
3 changes.

4 DATED: March 10, 2010.

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8 U.S. MAGISTRATE JUDGE
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26 riel pre evi sch.or